MAY 4, 2010
SCHOOL ELECTION CALENDAR

December 20, 2009 through March 25, 2010	**Trustee candidates file for election.** Nomination petition and Oath of Candidacy must be filed with election administrator. No person signing a petition may sign more nomination petitions than there are trustee positions open. **NO CANDIDATE MAY APPEAR ON THE BALLOT UNLESS HE OR SHE MEETS THIS DEADLINE.** Candidates from county high school districts with enrollments of 2,000 or more or first-class districts in counties with populations of 15,000 or more must file a form C-1-A, and if desired, a form C-3 with the district clerk and Montana Commissioner of Political Practices within 5 days of filing for office. (13-10-201(6), 13-37-201, 20-3-305 and 20-3-344, MCA) [No earlier than 135 days, or no later than 40 days before election.]
End of January	Contact the Montana Commissioner of Political Practices (MCPP) office at (406) 444-2942 if you are in (1) a first-class district located in a county with populations of 15,000 or more, *OR* (2) a county high school district with an enrollment of 2,000 or more and did NOT receive a notice and a packet of information from the MCPP. (13-37-206, MCA)
Updated in 2009 (SB 276) Changes	**County election administrator mails address confirmation forms to electors who have requested absentee ballots for subsequent elections.** The county election administrator will mail the address confirmation forms in January. You still must contact your county election administrator for the permanent absentee ballot list.
February 18, 2010	**First day elector can request an absentee ballot.** Voters who wish to vote absentee may request an absentee ballot in writing or in person starting at this date until noon the day before the election. Remember to include the following on the application for absentee ballot: • A section on the form allowing the voter to become part of the permanent absentee list (13-13-211 and 13-13-214, MCA) [75 days before election]
March 25, 2010	**Trustees call for an election.** At least 40 days before the election, the trustees must pass a resolution stating: 1) the date of the election; 2) the purpose of the election; 3) the polling site(s) (if changed from previous school election); and 4) the time the polls will open, if before noon. The trustees do NOT have to set levy amounts at this time; however, they must be set in time for the clerk to certify the ballot. The resolution must be delivered to the county election administrator at least 35 days before the election, but it need NOT be posted. The trustees must also appoint three election judges per precinct. The resolution should appear in the board minutes. An election may also be called by the county superintendent, county commissioners, board of public education or the trustees of a community college. 20-20-401, 20-20-201, and 20-20-203, MCA
March 30, 2010	**Last day to file resolutions for school election with county election administrator.** (20-20-201(2), MCA) [no later than 35 days before election]
April 4, 2010 (Next Business Day is April 5, 2010)	**Voter registration closes.** A voter must register by this deadline to vote in the school election. County election administrator prepares registration list. It is not necessary to publish any notice of closing of voter registration. (20-20-311 and 20-20-312, MCA) [30 days before election]

April 4 – April 14, 2010	**Notice of election is posted.** The election notice must be published in a newspaper of general circulation in the district AND posted in at least three public places in the district, provided that in incorporated cities and towns at least one notice must be posted in each ward or precinct. Radio or television notice may supplement the notice. The notice must include 1) the date and polling places of the election, 2) polling place hours, 3) each proposition to be considered by the electorate, 4) the number of trustee positions, if any, subject to election and the length of the terms for those positions and 5) where and how absentee ballots may be obtained. (20-20-204, MCA) [not less than 20 days or more than 30 days before election]
April 8, 2010 (By 5 p.m.)	**Deadline for write-in candidate for a trustee position on a school board to file declaration of intent.** (13-10-211(3), MCA) [not less than 26 days before the election]
April 8, 2010 (After 5 p.m.)	**Election by Acclamation and Cancellation of Election - Notice.** If the number of candidates filing a nomination petition or filing a declaration of intent to be a write-in candidate is equal to or less than the number of open trustee positions to be elected, the trustees cancel the trustee election. They must then give notice that a trustee election will not be held. (20-3-313, MCA)
By April 9, 2010	**Election administrator certifies ballot.** The election administrator prepares the final ballot form, listing all candidates and propositions to be voted upon. The ballot must then be delivered to the election administrator, if other than the clerk. See School Election Handbook for more information**. Trustees must pass a resolution stating exact levy amounts by this date in order for the clerk to certify the ballot.** This resolution must include the durational limit, if any, on the levy.

[not less than 25 days before election] 13-12-201, 20-20-401, and 15-10-425, MCA |
| April 14, 2010 | **Absentee ballots available.** The election administrator prepares ballots for absentee voters. Remember to enclose four things in the absentee package.
  ● The ballot
  ● Instructions for voting and returning the ballot
  ● A secrecy envelope, free of any marks that would identify the voter
  ● A self-addressed, return envelope with affirmation printed on the back of the envelope
 (20-20-401, MCA) [at least 20 days prior to election] |
| April 22-May 24, 2010 | Candidates who marked Box "C" on their form C-1-A must file form C-5 with the district clerk and Montana Commissioned of Political Practices. (13-37-226 (4), MCA) [12 days before and 20 days after the school election] |
| April 24, 2010 | **Last day to notify election judges of appointment.** (20-20-203, MCA) [not less than 10 days before election] |
| February 18 until noon May 3, 2010 | **Deadline for absentee requests.** Absentee ballots may be requested 75 days before the election but no later than noon the day before the election.

*If the voter has a health emergency between 5 p.m. the Friday before the election (April 30) and noon on the election day (May 4), an emergency request for an absentee ballot may be made by noon on the election day (May 4.) (13-13-211, MCA) |
| May 3, 2010 (By 5 p.m.) | **Absolute last day for write in candidates to file a declaration of intent** (13-10-211, MCA) A declaration of intent may be filed after the deadline and until 5 pm the day before the election only if a candidate for the office that the write in candidate is seeking: dies, withdraws from the election or is charged with a felony offense. |

May 3, 2010	**Deliver certified copy of the lists of registered electors** for each polling place to the district by election administrator before the election day. District then delivers list(s) to election judges prior to opening of polls. (20-20-313, MCA)
May 4, 2010	**Notify election judges of the names of write-in candidates**
May 4, 2010	**ELECTION DAY.** (20-20-105, MCA) The election administrator must prepare polling places, print ballots, ensure election judges are present and conduct a fair and unbiased election. (Title 13, Chapter 13, and 20-20-203, 20-20-401, and 20-20-411, MCA)
April 22-May 24, 2010	Candidates who marked Box "C" on their form C-1-A must file form C-5 with the district clerk and Montana Commissioned of Political Practices. (13-37-226 (4), MCA) [12 days before and 20 days after the school election]
Following receipt of the tally sheets from all polls **AND By May 19, 2010** (Next regular or special board meeting following the election)	**Trustees canvass votes, issue certificates of election and publish results**. The canvassed results shall be published immediately in a newspaper that will give notice to the largest number of people in the district. (20-20-415 and 416, MCA) [within 15 days after the election]
Within 15 days after receipt of certificate of election. (20-20-416 MCA)	**Candidate completes and files oath of office** with the County Superintendent. Newly elected trustees may not be seated until the oath is filed. (20-3-307, 20-1-202, 1-6-101, MCA)
May 15, 2010	**Deadline for trustees to hold organizational meeting.** (20-3-321, MCA)[not later than the third Saturday in May]
June 1, 2010	**Deadline for trustees to request county election administrator to conduct school election for next year.** (20-20-417, MCA)

Additional References:

Sample forms can be found at this address.   **http://www.opi.mt.gov/SchoolFinance/ElecHB.html**

1-1-307, MCA. Postponement of day appointed for an action when it falls on a holiday or Saturday. Whenever any act of a secular nature, other than a work of necessity or mercy, is appointed by law or contract to be performed upon a particular day, which day falls upon a holiday or a Saturday, such act may be performed upon the next business day with the same effect as if it had been performed upon the day appointed.

20-3-205, MCA. The county superintendent has general supervision of the schools of the county within the limitations prescribed by this title and shall perform the following duties or acts: (2) administer and file the oaths of members of the boards of trustees of the districts in the county in accordance with the provisions of 20-3-307.

1-6-101, MCA. Every court, judge, clerk of any court, justice, notary public, and officer or person authorized to take testimony in any action or proceeding or to decide upon evidence has power to administer oaths or affirmations.

(MASBO takes special care in preparation of the annual election calendar however, if you find a mistake or oversight, please notify the MASBO office so corrections can be noted in future newsletters and in future calendars. Thank You.)